

### REMARKS

This response is intended as a full and complete response to the non-final Office Action mailed June 10, 2004. In the Office Action, the Examiner notes that claims 1-31 are pending and rejected. By this response, claims 1, 19-23, 25, and 30 are amended, and claim 29 is canceled.

In view of both the amendments presented above and the following discussion, the Applicants submit that none of the claims now pending in the application are anticipated under the provisions of 35 U.S.C. §102.

It is to be understood that the Applicants, by amending the claims, do not acquiesce to the Examiner's characterizations of the art of record or to the Applicants' subject matter recited in the pending claims. Further, the Applicants are not acquiescing to the Examiner's statements as to the applicability of the art of record to the pending claims by filing the instant responsive amendments.

### Rejections

#### 35 U.S.C. §102

##### Claims 1-29

The Examiner has rejected claims 1-29 under 35 U.S.C. §102(e) as being anticipated by Sampath et al. (U.S. Patent 6,279,029, hereinafter "Sampath"). The Applicants respectfully traverse the rejection.

The Applicants' independent claim 1 recites (independent claims 24 and 25 recite similar limitations):

1. (Currently Amended) A method for providing user interfaces for a plurality of video-on-demand services offered by provider equipment of an information distribution system, comprising:
  - providing a first application to support a first user interface for a first service associated with an interactive program guide;
  - providing a second application to support a second user interface for a second service associated with video-on-demand (VOD); and
  - coordinating passing of control between the first and second applications via a control mechanism. (emphasis added).

"Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim" (Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co., 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing Connell v. Sears, Roebuck & Co., 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983)) (emphasis added). The Sampath reference fails to disclose each and every element of the claimed invention, as arranged in the claim.

The Sampath reference discloses

...client 104 operates in a windowed environment, such as that provided by Microsoft Windows. User interface 200 is a window frame comprising window controls 202, channel controls 204, video display 206, audio controls 208, and text reader bar 210. Program guide window 300 comprises a list 302 of the channels currently being transmitted over the computer network and a list 304 of the channels to be transmitted over the computer network in the future. Program Guide window 300 also preferably displays the current time in clock 306. Referring to FIG. 5, there is shown a preferred embodiment of the Pay-Per-View window created when the user selects a channel that requires payment. The user uses the Pay-Per-View window to enter a credit card number to which to charge the payment for the program. (see Sampath, column 4, line 65 to column 5, line 2, column 5, lines 38-43, and column 5, lines 59-64).

Nowhere in the Sampath reference is there any teaching, or even suggestion, of "providing a second application to support a second user interface for a second service associated with video-on-demand (VOD)."

As conventionally known in the art, video-on-demand services is completely different than pay-per-view services. Specifically, pay-per-view services provide particular video content (e.g., a movie) at predetermined time slots to a user upon a user request. That is, pay-per-view is broadcast at predetermined time slots (e.g., every 15 minutes) and is available to a user who subscribes to such pay-per-view service. By contrast, video-on-demand services allow a user to subscribe or request a particular video without the constraints of being broadcast during a predetermined time slot. That is, a subscriber of video-on-demand may request a video (e.g., movie) at any time, and is not limited to the time slots associated with pay-per-view services. Since the Sampath reference is completely silent with respect to providing video-on-demand

services, the Sampath reference fails to teach each and every element of the claimed invention, as arranged in the claims.

As such, the Applicants submit that independent claims 1, 24 and 25 are not anticipated and fully satisfy the requirements of 35 U.S.C. §102 and are patentable thereunder. Furthermore, claims 2-23 and 26-29 depend, either directly or indirectly, from independent claims 1, 24 and 25 and recite additional limitations thereof. As such and at least for the same reasons as discussed above, the Applicants submit that these dependent claims are also not anticipated and fully satisfy the requirements of 35 U.S.C. §102 and are patentable thereunder. Therefore, the Applicants respectfully request that the Examiner's rejection be withdrawn.

### Claims 30-31

The Examiner has rejected claims 30-31 under 35 U.S.C. §102(e) as being anticipated by Filetto et al. (U.S. Patent 6,300,951, hereinafter "Filetto"). The Applicants respectfully traverse the rejection.

The Applicants' independent claim 30 recites:

30. (Currently Amended) A terminal configurable to provide user interfaces for a plurality of video-on-demand services offered by an information distribution system, comprising:  
a first state indicative of a first application executing to support a first user interface for an interactive program guide;  
a second state indicative of a second application executing to support a second user interface for video-on-demand content;  
a third state indicative of the first and second applications being idle; and  
means for transitioning between the first, second, and third states. (emphasis added).

The Filetto reference discloses

In accordance with an exemplary embodiment, to initialize the system, the application or video display running in window 56 may present an application window 64 allowing the user to add to a sequence queue in white space 66 indicia identifying the order of sequence of windows 54, 56. Window 64 may then be deleted or minimized, leaving only windows 54 and 56 open in display area 52. Open windows may appear in display area 52, or may be minimized. In the latter case, when control is toggled in sequence to a minimized window, such minimized window may be enlarged and displayed in display area 52. (See Filetto, column 2, lines 41-51).

Nowhere in the Filetto reference is there any teaching, or even suggestion of "a second state indicative of a second application executing to support a second user interface for video-on-demand content".

As conventionally known in the art, video-on-demand services is completely different than pay-per-view services. Specifically, pay-per-view services provide particular video content (e.g., a movie) at predetermined time slots to a user upon a user request. That is, pay-per-view is broadcast at predetermined time slots (e.g., every 15 minutes) and is available to a user who subscribes to such pay-per-view service. By contrast, video-on-demand services allow a user to subscribe or request a particular video without the constraints of being broadcast during a predetermined time slot. That is, a subscriber of video-on-demand may request a video (e.g., movie) at any time, and is not limited to the time slots associated with pay-per-view services. Since the Filetto reference is completely silent with respect to providing video-on-demand services, the Filetto reference fails to teach each and every element of the claimed invention, as arranged in the claims.

As such, the Applicants submit that independent claim 30 is not anticipated and fully satisfies the requirements of 35 U.S.C. §102 and is patentable thereunder. Furthermore, claim 31 depends, either directly or indirectly, from independent claim 30 and recites additional limitations thereof. As such and at least for the same reasons as discussed above, the Applicants submit that dependent claim 31 is also not anticipated and fully satisfies the requirements of 35 U.S.C. §102 and is patentable thereunder. Therefore, the Applicants respectfully request that the Examiner's rejection be withdrawn.

### **SECONDARY REFERENCES**

The secondary references made of record are noted. However, it is believed that the secondary references are no more pertinent to the Applicants' disclosure than the primary references cited in the Office Action. Therefore, the Applicants believe that a detailed discussion of the secondary references is not necessary for a full and complete response to this office action.

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### CONCLUSION

Thus, the Applicants submit that none of the claims presently in the application are anticipated under the provisions of 35 U.S.C. §102. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Eamon J. Wall at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

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